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August 27, 2001

Federal Election Commission
Office of the General Counsel
Attention: Margaret J. Toalson
Washington, DC 20463

Re: MUR's 4818 and 4933
Chris Clark, Treasurer,
Walt Roberts for Congress

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COMMISSION
OFFICE OF GENERAL
COUNSEL

Dear Ms. Toalson:

Enclosed please find our Response to General Counsel's Brief filed in triplicate.

If you have any questions, please contact me at the number listed above.

Sincerely,



GARY L. MCKNIGHT
OBA # 6040

GLM/jmw

cc: Chris Clark

Enclosure: Response

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF

MUR's 4818 and 4933

CHRIS CLARK, TREASURER

WALT ROBERTS FOR CONGRESS

RESPONSE TO GENERAL COUNSEL'S BRIEF

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BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF

MUR's 4818 and 4933

CHRIS CLARK, TREASURER

WALT ROBERTS FOR CONGRESS

RESPONSE TO GENERAL COUNSEL'S BRIEF

I. BACKGROUND

Chris Clark agreed to act as Treasurer of the Walt Roberts for Congress Campaign committee based on his friendship with Walt Roberts. Mr. Clark had never acted in such a capacity before and was not experienced in this area.

First of all Mr. Clark has no personal knowledge that would allow him to agree with or to deny the allegations of misconduct by others alleged by General Counsel. He can only respond to the allegations as presented by the General Counsel. Nor has General Counsel submitted any evidence of such timely knowledge by Mr. Clark.

When he agreed to act as treasurer, Mr. Clark was assured that the Accounting Firm of Bear, Compton and Lisle of Oklahoma City, Oklahoma was retained to handle the campaign finances and all of the reporting necessary on the Walt Roberts for Congress Campaign. As they were specialists and were experienced in this area, Mr. Clark relied on their expertise in accounting, financial matters and reporting and did not involve himself "on hands actively" with the actual financial documents and/or funds.

Only when Mr. Clark read an article in the Tulsa World relating to campaign finances of Walt Roberts, did he discover that said firm was not fulfilling their responsibilities of reporting campaign finances. Mr. Clark immediately contacted the Federal Election Commission personally to ensure that the problems stated in the article of the Tulsa World were addressed promptly and accurately.

It was at this time that Mr. Clark inquired about the situation with Jason, the second campaign manager, and Mark (last names unknown) with the Walt Roberts Campaign committee and was assured that all reporting and contributions were done legally. Mr. Clark also spoke with Walt Roberts himself, who said, regarding the sale of cattle, that "it is legal" and "I sold some of my assets to put into the campaign". Mr. Clark had no reason to not believe that Mr. Roberts had sold some of his assets for cash to the campaign.

Other allegations center around funds that were not deposited in nor disbursed from the campaign account, yet General Counsel would seek to make Mr. Clark responsible for these alleged violations, which by their very nature were apparently conceived and conducted in a manner designed to avoid detection from, not only the General Counsel, but Mr. Clark.

Mr. Clark was not aware of alleged illegal payments by others that were subsequently delivered to the campaign as seemingly legal and contributions by others that were of the other alleged violations that others are accused of and had no way of knowing of their activities.

II. ALLEGED VIOLATIONS

Mr. Clark, while unable to verify or deny the illegal activity of others, must respond to the allegations under the assumption that the allegations are true. He will not respond to the individual allegations of misconduct by others because he has not had the resources to personally investigate them and determine for himself whether or not the violations occurred.

In response to the allegations of misconduct by him personally and as Treasurer, Mr. Clark would state that he had no knowledge of any illegal activity by others, nor did he participate in the alleged scheme to conceal said activity.

General Counsel has offered no evidence regarding any of the alleged violations to prove that Mr. Clark, individually or as Treasurer, committed any illegal activity.

General Counsel has offered no evidence regarding any of the alleged violations to prove that Mr. Clark, individually or as Treasurer, knew of any illegal activity.

General Counsel has offered no evidence regarding any of the alleged violations to prove that Mr. Clark, individually or as Treasurer, condoned any illegal activity.

III. RELIEF SOUGHT

The General Counsel has cited no evidence tending to prove that Chris Clark had any prior knowledge of said alleged conduct, nor any allegation that he was personally responsible for the alleged excess contributions or alleged erroneous reports. The allegations appear to be a proforma naming of Mr. Clark, solely because he was Treasurer of the Walt Roberts campaign and not for any wilful or intentional act that he performed.

In fact, all evidence referred to by General Counsel clearly shows that at the time of each of the alleged violations, each was either accompanied with a plausible explanation of the contribution, or was not disclosed or deliberately concealed from Mr. Clark by the candidate or the contributor.

Only after an extensive investigation by General Counsel, with the assistance of a number of investigators, has the General Counsel been able to determine the true nature of the contributions, loans and concealed donations.

THEREFORE, we would respectfully ask that Mr. Chris Clark, individually and as Treasurer for Walt Robert Campaign for Congress not be held responsible or accountable for any alleged willful misconduct related to the Walt Roberts for Congress campaign, that was apparently deliberately concealed from him by others, when there has been absolutely no showing that Mr. Clark did either knowingly, willfully or intentionally committed any violation.

Respectfully submitted,



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Attorney for the Respondent, Chris Clark,
Treasurer of the Walt Roberts for Congress